AMENDMENTS TO THE CLAIMS

Amend Claims 32, 38, and 44; cancel Claims 33-37, and 41; and, add new Claims 45-59, as follows:

Claims 1-31 (canceled).

32. (Currently amended) A method of diagnosing colorectal cancer in a human patient comprising:

(a) ~~determining the expression of a gene at least 90% identical to SEQ ID NO:1 in a first sample from a first individual~~ obtaining a sample comprising colorectal tissue from a human patient ; and

(b) ~~comparing said expression of said gene in the first sample, to the expression of said gene in a second sample, said second sample from a second normal tissue type from said first individual, or from a second, unaffected individual;~~

~~wherein a difference in said expression of said gene between the first sample and the second sample indicates that the first individual has colorectal cancer~~ detecting the level of a polynucleotide encoding a CBF9 polypeptide in the sample, wherein the polynucleotide is an RNA equivalent of a nucleic acid sequence at least 90% identical to the nucleic acid sequence disclosed in SEQ ID NO: 1, and wherein an increase in the level of the polynucleotide relative to normal colorectal tissue is indicative of cancer .

33 (Canceled).

34. (Canceled).

35. (Canceled).

36. (Canceled).

37. (Canceled).

38. (Currently amended) The method of Claim 32, wherein said ~~expression~~ level is measured using a binding agent.

39. (Previously presented) The method of Claim 38, wherein the binding agent is detectably labeled.

40. (Previously presented) The method of Claim 39, wherein the label is selected from the group consisting of a radiolabel, a fluorescent label and a detectable enzyme.

41. (Canceled).

42. (Previously presented) The method of Claim 32, wherein said expression is measured using a labeled nucleic acid probe.

43. (Previously presented) The method of Claim 32, wherein said expression is measured utilizing a biochip.

44. (Currently amended) The method of claim 32, wherein said ~~gene is~~ polynucleotide is an RNA equivalent of the nucleic acid sequence disclosed in SEQ ID NO:1.

45. (New) The method of Claim 32, wherein the method further comprises isolating nucleic acids from the sample.

46. (New) The method of Claim 32, wherein the detecting step comprises hybridizing a labeled probe to the polynucleotide.

47. (New) The method of Claim 46, wherein the probe is labeled with a fluorescent label.

48. (New) The method of Claim 32, wherein the detecting step comprises hybridizing the polynucleotide to a probe that is immobilized on a solid surface.

49. (New) The method of Claim 32, wherein the detecting step comprises contacting the sample with a biochip, wherein the biochip comprises the nucleic acid sequence disclosed in SEQ ID NO: 1.

50. (New) A method of diagnosing colorectal cancer in a human patient, the method comprising:

(a) detecting the level of a polynucleotide encoding a CBF9 polypeptide in the human patient, wherein the polynucleotide is an RNA equivalent of a nucleic acid sequence of at least 90% identical to the nucleic acid sequence disclosed in SEQ ID NO: 1, and wherein an increase in the level of the polynucleotide relative to normal colorectal tissue is indicative of cancer.

51. (New) The method of Claim 50, wherein said level is detected in blood from the patient.

52. (New) The method of Claim 50, wherein said level is detected in colorectal tissue from the patient.

53. (New) The method of Claim 50, wherein the detecting step comprises hybridizing a labeled probe to the polynucleotide.

54. (New) The method of Claim 50, wherein said probe is labeled with a fluorescent label.

55. (New) The method of Claim 50, wherein the detecting step comprises hybridizing the polynucleotide to a probe that is immobilized on a solid surface.

56. (New) The method of Claim 50, wherein the detecting step comprises contacting nucleic acids from the patient with a biochip, wherein the biochip comprises the nucleic acid sequence disclosed in SEQ ID NO: 1.

57. (New) A method of detecting colorectal cancer in a human patient, the method comprising:

(a) measuring the level of expression of an expression product of a gene encoding an amino acid sequence of SEQ ID NO:2 in said human patient;

(b) comparing the level of said expression product in said human with the level of expression of said expression product in a normal human.

58. (New) The method of Claim 57, wherein the level is detected in blood from the patient.

59. (New) The method of claim 57, wherein the expression product is detected with an antibody.

60. (New) A method of monitoring colorectal cancer in a human patient, the method comprising:

(a) detecting the level in said human patient of an expression product of a gene encoding an amino acid sequence identical to SEQ ID NO:2 or a variant or homologous sequence at least 95% identical to SEQ ID NO: 2, and

(b) comparing said level of said expression product in said human patient with the level of said expression product in a normal patient.

61. (New) The method of Claim 60, wherein said expression product is mRNA.

62. (New) The method of Claim 61, wherein said detecting step comprises hybridizing a polynucleotide probe to said mRNA, wherein said probe is complementary to said mRNA.

63. (New) The method of Claim 62, wherein said polynucleotide probe is labeled.

64. (New) The method of Claim 63, wherein said label is a fluorescent label.

65. (New) The method of Claim 60, wherein said expression product is a polypeptide.

66. (New) The method of Claim 65, wherein said detecting step comprises contacting said polypeptide with an antibody that binds to said polypeptide.

67. (New) The method of Claim 66, wherein said antibody further comprises a label.

68. (New) The method of Claim 67, wherein said label is a fluorescent label.